

AMENDED IN ASSEMBLY MARCH 24, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1947

Introduced by Assembly Member Emmerson

February 13, 2008

An act to amend ~~Section 4202~~ *Sections 4202 and 4231* of, and to add ~~Section 4231.5~~ *Sections 4230, 4230.5, and 4410* to, the Business and Professions Code, relating to pharmacy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1947, as amended, Emmerson. Pharmacy technicians.

Existing law, the Pharmacy Law, provides for the licensure and regulation of pharmacists and pharmacy technicians by the California State Board of Pharmacy. Existing law authorizes the board to adopt rules and regulations necessary for the protection of the public. Existing law authorizes the board to issue a pharmacy technician license to an individual if that individual is a high school graduate or possesses a general educational development certificate equivalent and has either obtained a specified associate's degree, completed a specified course of training, graduated from a specified school of pharmacy, or is certified by the Pharmacy Technician Certification Board. Existing law prohibits the board from renewing a pharmacist license, after the first renewal, unless the applicant submits satisfactory proof that he or she has successfully completed 30 hours of approved courses of continuing pharmacy education during the 2 years preceding the application for renewal.

This bill would instead authorize the board to issue a pharmacy technician license to an individual if that individual is a high school graduate or possesses a general educational development certificate

equivalent, is certified by the Pharmacy Technician Certification Board or passes a ~~specified board-approved~~ *pharmacy technician examination approved by the board*, and has either obtained a specified associate's degree, completed a specified course of training, or graduated from a specified school of pharmacy. *The bill would specify that these requirements shall only apply to pharmacy technicians issued on initial license on and after January 1, 2009.* The bill would also prohibit the board from renewing a pharmacist technician license, after the first renewal, unless the applicant submits satisfactory proof that he or she has successfully completed 20 hours of approved courses of continuing pharmacy education during the 2 years preceding the application for renewal. ~~The bill would require the board to adopt regulations with respect to this continuing education requirement.~~ *The bill would specify the form and subject matter content for these courses. The bill would provide that a pharmacy technician license that is not renewed within 3 years after expiration may not be renewed and shall be canceled at the end of the 3-year period. The bill would make conforming changes.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4202 of the Business and Professions
- 2 Code is amended to read:
- 3 4202. (a) The board may issue a pharmacy technician license
- 4 to an individual if he or she is a high school graduate or possesses
- 5 a general educational development certificate equivalent, is
- 6 certified by the Pharmacy Technician Certification Board or passes
- 7 ~~a board-approved examination that is based on psychometrically~~
- 8 ~~sound principles~~ *a pharmacy technician examination approved by*
- 9 *the board*, and meets any one of the following requirements:
- 10 (1) Has obtained an associate's degree in pharmacy technology.
- 11 (2) Has completed a course of training specified by the board.
- 12 (3) Has graduated from a school of pharmacy recognized by
- 13 the board.
- 14 (b) The board shall adopt regulations pursuant to this section
- 15 for the licensure of pharmacy technicians and for the specification
- 16 of training courses as set out in paragraph (2) of subdivision (a).
- 17 Proof of the qualifications of any applicant for licensure as a

1 pharmacy technician shall be made to the satisfaction of the board
2 and shall be substantiated by any evidence required by the board.

3 (c) The board shall conduct a criminal background check of an
4 applicant to determine if the applicant has committed acts that
5 would constitute grounds for denial of licensure, pursuant to this
6 chapter or Chapter 2 (commencing with Section 480) of Division
7 1.5.

8 (d) The board may suspend or revoke a license issued pursuant
9 to this section on any ground specified in Section 4301.

10 (e) Once licensed as a pharmacist, the pharmacy technician
11 registration is no longer valid and the pharmacy technician license
12 shall be returned to the board within 15 days.

13 (f) *An examination for certification of a pharmacy technician*
14 *or a pharmacy technician examination approved by the board*
15 *shall be subject to Section 139.*

16 (g) *The requirement in subdivision (a) of certification by the*
17 *Pharmacy Technician Certification Board or passing a pharmacy*
18 *technician examination approved by the board shall only apply to*
19 *pharmacy technicians issued an initial license on and after January*
20 *1, 2009.*

21 SEC. 2. Section ~~4231.5~~ 4230 is added to the Business and
22 Professions Code, to read:

23 ~~4231.5.~~

24 4230. (a) The board shall not renew a pharmacy technician
25 license unless the applicant submits proof satisfactory to the board
26 that he or she has successfully completed 20 hours of approved
27 courses of continuing pharmacy *technician* education *as described*
28 *in Section 4230.5* during the two years preceding the application
29 for renewal.

30 (b) Notwithstanding subdivision (a), the board shall not require
31 completion of continuing education for the first renewal of a
32 pharmacy technician license.

33 (c) If an applicant for renewal of a pharmacy technician license
34 submits the renewal application and payment of the renewal fee
35 but does not submit proof satisfactory to the board that the licensee
36 has completed 20 hours of continuing pharmacy education, the
37 board shall not renew the license and shall issue the applicant an
38 inactive pharmacy technician license. A licensee with an inactive
39 pharmacy technician license issued pursuant to this section may
40 obtain an active pharmacy technician license by paying the renewal

1 fees due and submitting satisfactory proof to the board that the
2 licensee has completed 20 hours of continuing pharmacy education.

3 ~~(d) The board shall adopt regulations to implement this section.~~

4 SEC. 3. Section 4230.5 is added to the Business and Professions
5 Code, to read:

6 4230.5. (a) The courses shall be in the form of studies,
7 institutes, seminars, lectures, conferences, workshops, extension
8 studies, correspondence courses, and other similar methods of
9 conveying continuing professional pharmacy technician education.

10 (b) The subject matter may be pertinent to the socioeconomic
11 and legal aspects of health care, the properties and actions of
12 drugs and dosage forms, and the etiology, characteristics, and
13 therapeutics of the disease state.

14 (c) The subject matter of the courses may also include, but shall
15 not be limited to, the following: pharmacology, biochemistry,
16 physiology, pharmaceutical chemistry, pharmacy administration,
17 pharmacy jurisprudence, public health and communicable diseases,
18 professional practice management, anatomy, and histology.

19 SEC. 4. Section 4231 of the Business and Professions Code is
20 amended to read:

21 4231. (a) The board shall not renew a pharmacist license unless
22 the applicant submits proof satisfactory to the board that he or she
23 has successfully completed 30 hours of approved courses of
24 continuing pharmacy education *as described in Section 4232* during
25 the two years preceding the application for renewal.

26 (b) Notwithstanding subdivision (a), the board shall not require
27 completion of continuing education for the first renewal of a
28 pharmacist license.

29 (c) If an applicant for renewal of a pharmacist license submits
30 the renewal application and payment of the renewal fee but does
31 not submit proof satisfactory to the board that the licensee has
32 completed 30 hours of continuing pharmacy education, the board
33 shall not renew the license and shall issue the applicant an inactive
34 pharmacist license. A licensee with an inactive pharmacist license
35 issued pursuant to this section may obtain an active pharmacist
36 license by paying the renewal fees due and submitting satisfactory
37 proof to the board that the licensee has completed 30 hours of
38 continuing pharmacy education.

39 SEC. 5. Section 4410 is added to the Business and Professions
40 Code, to read:

1 *4410. Any pharmacy technician license that is not renewed*
2 *within three years following its expiration may not be renewed*
3 *and shall be canceled by operation of law at the end of the*
4 *three-year period.*

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